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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Y.V.S.N. MURTHY *et al*

Confirmation No.: 6595

Application No.: 10/650,262

Group Art Unit: 1614

Filed: August 27, 2003

Examiner: D.A. Jagoe

For: METHODS FOR THE CONTROLLED
DELIVERY OF PHARMACOLOGICALLY
ACTIVE COMPOUNDS

Attorney Docket No.: 13390-08011

RESPONSE TO RESTRICTION REQUIREMENT

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Restriction Requirement, mailed March 21, 2006, the Examiner has required that an election be made to one of the following allegedly distinct inventions:

Group I: Claims 1-24 and 44, drawn to a pharmaceutical composition that releases the active compound over time when administered by injection, classified in class 424, subclass 400;

Group II: Claims 15-30, drawn to a method of administering the salt of an active compound and a lipophilic counterion in a water immiscible solvent, classified in class 514, subclass 566; and

Group III: Claims 31-43, drawn to a biphasic pharmaceutical composition when injected into water, classified in class 424, subclass 457.

Applicants respectfully elect the claims of Group I (*i.e.*, claims 1-14 and 44) with traverse for prosecution in this application.

The Examiner has further requested an election of a species for (i) the active compound,



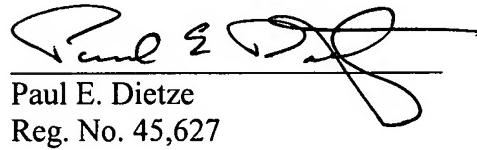
(ii) the lipophilic counterion, and (iii) the water immiscible solvent. Applicants elect, with traverse, tilmicosin as the active compound, lauric acid as the lipophilic counterion, and saw flower oil as the water immiscible solvent. Applicants reserve the right, upon allowance of the elected species, to request allowance of a generic claim, including a reasonable number of species.

It is respectfully submitted that all claims are in condition for allowance, early notice of which would be appreciated. Should the Examiner disagree, Applicants respectfully request a telephonic or in-person interview with the undersigned attorney to discuss any remaining issues and to expedite eventual allowance of the claims.

No fee is believed to be due for this submission. Should any fees be required, however, please charge the required fees to Kenyon & Kenyon deposit account no. 11-0600.

Respectfully submitted,

Date: April 10, 2006



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